

1FW RCE\$

PTO/SB/30 (04-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/650,935
Filing Date	August 27, 2003
First Named Inventor	James M. Brugger
Art Unit	1723
Examiner Name	Sun U. Kim
Attorney Docket Number	53951-102

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-3840. I have enclosed a duplicate copy of this sheet.

a. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

10/11/2006 SDENB01 00000051 503840 10650935

01 FC:2001 395.00 DA

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	October 11, 2006
Name (Print/Type)	Mark A. Catan	Registration No.	38,720

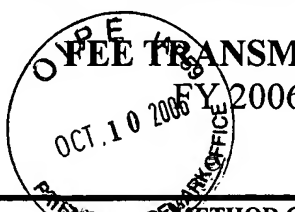
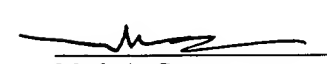
## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____	Date	_____
Name (Print/Type)	_____	Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<div style="float: left; width: 30%; text-align: center;">  </div> <div style="float: right; width: 70%;"> <p style="text-align: right; margin: 0;"><i>Complete if Known</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Serial No.</td><td>10/650,935</td></tr> <tr><td>Filing Date</td><td>August 27, 2003</td></tr> <tr><td>First Named Inventor</td><td>James M. Brugger</td></tr> <tr><td>Group No.</td><td>1723</td></tr> <tr><td>Examiner Name</td><td>Sun U. Kim</td></tr> <tr><td>Confirmation No.</td><td>8073</td></tr> </table> </div>					Application Serial No.	10/650,935	Filing Date	August 27, 2003	First Named Inventor	James M. Brugger	Group No.	1723	Examiner Name	Sun U. Kim	Confirmation No.	8073
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Group No.	1723															
Examiner Name	Sun U. Kim															
Confirmation No.	8073															
<b>METHOD OF PAYMENT</b>																
<input checked="" type="checkbox"/> Payment Enclosed: <div style="margin-left: 40px;"> <input type="checkbox"/> Check   <input type="checkbox"/> Money Order   <input checked="" type="checkbox"/> Other </div>																
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <div style="margin-left: 40px;"> <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed).  <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17.  <input checked="" type="checkbox"/> Overpayment Credit. </div>																
<input checked="" type="checkbox"/> Applicant claims small entity status.																
<b>FEE CALCULATION</b>																
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>																
Application Type	Filing	Search	Examination	Fee Paid												
Utility	300	500	200													
Design	200	100	130													
Plant	200	300	160													
Reissue	300	500	600													
Provisional	200	0	0													
<i>Small Entity Discount</i>																
<b>1. TOTAL</b>																
<b>2. EXCESS CLAIM FEES</b>																
			Fee	Small Entity Fee (\$)												
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent			50	25												
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.			200	100												
Total Claims		Extra Claims		Fee Paid (\$)												
- 20 or HP= _____ x \$ _____ =																
HP = highest number of total claims paid for, if greater than 20																
Indep. Claims		Extra Claims		Fee Paid (\$)												
- 3 or HP= _____ x \$ _____ =																
HP = highest number of total claims paid for, if greater than 3																
Multiple Dependent Claims		Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)												
		360	180													
<b>2. TOTAL:</b>																
<b>3. APPLICATION SIZE FEE</b>																
If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																
Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid												
		round up to a whole number	x	=												
-100= 0	/50=			0.00												
<b>3. TOTAL:</b>																
<b>CORRESPONDENCE ADDRESS</b>																
Direct all correspondence to:																
Patent Administrator Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263																
<b>FEE CALCULATION (continued)</b>																
<b>4. ADDITIONAL FEES</b>																
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid													
130	65	Surcharge - late filing fee or oath														
50	25	Surcharge - late provisional filing fee or cover sheet														
130	130	Non-English specification														
2,520	2,520	Request for ex parte re-examination														
120	60	Extension for reply within 1 <sup>st</sup> mo.														
450	225	Extension for reply within 2 <sup>nd</sup> mo.														
1,020	510	Extension for reply within 3 <sup>rd</sup> mo.														
1,590	795	Extension for reply within 4 <sup>th</sup> mo.														
2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.														
500	250	Notice of Appeal														
500	250	Filing a brief in support of an appeal														
1,000	500	Request for oral hearing														
400	0	Petitions to the Director														
180	180	Submission of IDS														
790	395	Filing a submission after final rejection (37 CFR 1.129(a))														
790	395	For each additional invention to be examined (37 CFR 1.129(b))														
100	100	Certificate of Correction for applicant's error														
130	65	Submission of Terminal Disclaimer														
Other fee (Specify)		RCE Filing Fee	\$395.00													
Other fee (Specify)																
<b>4. TOTAL:</b>				<b>\$395.00</b>												
<b>TOTAL AMOUNT SUBMITTED</b>																
<b>(\$395.00)</b>																
<b>SIGNATURE BLOCK</b>																
Respectfully submitted,																
Date: October 10, 2006																
Reg. No.: 38,720		Mark A. Catan														
Tel. No.: (202) 416-6800		Attorney for the Applicant(s)														
Fax No.: (202) 416-6899		Proskauer Rose LLP														
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		Washington, D.C. 20004														